

CRITICAL AREA VEGETATIVE BUFFER STANDARDS

Section [90.130 KZC](#)

The following information summarizes the requirements for installing and maintaining native vegetation within a critical area buffer in conjunction with certain development permits. Detailed information may be found in the [Kirkland Zoning Code, Chapter 90](#).

- Properties containing degraded critical area buffers must meet the vegetative buffer standards when the development proposal exceeds the size or valuation thresholds of KZC 90.130.3. **The vegetative buffer requirement applies even if the buffer will not be disturbed with proposed development activity.**
- The Planning Official makes the final determination of whether a buffer is degraded based on the assessment of the condition of the buffer contained in the critical area report. The assessment must be prepared either by a qualified professional approved by the City or by the City's consultant. If the applicant's consultant prepares the buffer assessment, the applicant must fund peer review by the City's consultant. Because Kirkland is an urbanized area, most buffers will be considered degraded to some extent.
- If the applicant is applying for a land use permit for a wetland or stream modification (Section 90.60 or Section 90.70), a public agency exception (Section 90.45), daylighting of a stream (Section 90.75), meandering a stream (Section 90.80) or stream channel stabilization (Section 90.85), then a final detailed vegetation buffer plan meeting Section 90.130 must be submitted with the land use permit application. The vegetative buffer plan must be prepared by a qualified professional. The plan will be reviewed by the City's critical areas consultant (at the applicant's expense) and approved prior to the issuance of the critical area permit.
- For all other development proposals, the applicant must submit a detailed vegetative buffer plan with the land use permit, building permit, or land surface modification permit. The vegetative buffer plan must be prepared by a qualified professional. The plan will be reviewed by the City's critical areas consultant (at the applicant's expense) and approved prior to issuance of the development permit.
- A monitoring and maintenance program, consistent with [KZC 90.160](#), must be submitted with the vegetative buffer plan to establish the standards by which successful vegetation coverage and survival is measured. The program must be prepared by a qualified professional and will be reviewed by City's critical areas consultant at the applicant's expense.
- The vegetative buffer must be installed prior to final inspection.
- The vegetative buffer is subject to a multi-year maintenance and monitoring program after it is installed and accepted by the City.
- A financial security for performance, monitoring and maintenance shall be submitted prior to issuance of any building or land surface modification permits to ensure compliance with the requirements for installation and to ensure ongoing maintenance and monitoring over the course of the multi-year maintenance period.
- Monitoring over the multi-year period may be performed either by the City (applicant funds City consultant) or by the applicant's consultant (applicant still must fund City review of the monitoring reports). The applicant is responsible for ensuring the maintenance work occurs at approved intervals. **Conducting the scheduled maintenance is the single biggest factor in a establishing a successful buffer and avoiding additional cost and delays.**
- The performance security will be released when an as-built plan is submitted and the City is satisfied that the vegetative buffer has been installed in compliance with the approved vegetative buffer plan. The security for multi-year monitoring and maintenance will be released at the conclusion of the maintenance period if the project meets the standards of the approved vegetative buffer plan.